

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 94-17**

A RESOLUTION TO AUTHORIZE CHANGE ORDERS (NUMBERS 2-6) TO THE ROLPH DRIVE RECONSTRUCTION CONTRACT WITH J.A. SCHEIBEL INC. D/B/A SCHEIBEL CONSTRUCTION

Introduced by: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Town Council has authority to approve contracts and procurements pursuant to the Town Charter, Section 33-63, and Town Code, Section 20.4; and

WHEREAS, that pursuant to Resolution 51-17, the Town Council previously approved an assignment agreement with Scheibel Construction in the amount of \$839,822.76, regarding the Rolph Drive Reconstruction Project; and

WHEREAS, a construction kick-off meeting was held on July 27, 2017 where the Contractor after digging test pits, identified several issues including gas and storm line conflicts that could be remedied by substituting certain sized pipes; and

WHEREAS, on August 7, 2017 pursuant to Resolution 56-17, the Town Council approved Change Order #1 for said Project in the amount of \$28,140.40 to allow the substitution of a 18" storm drain with a 14" concrete elliptical pipe, and installing additional manholes to facilitate gas lines being located in accordance with code requirements; and

WHEREAS, the Rolph Drive Reconstruction Project was previously delayed in the past prior to the current assigned agreement with Scheibel Construction (the "Contractor"), due in part, by difficulties in moving gas lines to avoid planned tree boxes and redeployment by Washington Gas of personnel from the site thereby causing a delay of at least eight (8) months; and

WHEREAS, the Town's Project Manager and Contractor have found that recently due to the excessive ground water and running springs, the soil at the water table once excavated becomes unsuitable for re-use as fill around the proposed inlets and pipes, and the soil is fully saturated and therefore cannot support itself or maintain the stability of the proposed inlets and pipes; and

WHEREAS, the subject trenches required over excavation and placement of a geogrid to maintain stability, and saturated soil must be hauled offsite and disposed, and additional suitable soil must be trucked in to replace the unsuitable soil; and, additional silt fence is required by the County Inspector to prevent pollution, and said silt fence was an agreed upon contingent item in the Contract; and

WHEREAS, the inlets are in need of modifications (i.e. pre-cast holes needed changed) due to the location of utilities, and pipe elevations and grades were modified in the field to avoid utilities, and these changes caused the pre-cast inlets to be modified so that the new pipe elevations

would fit, and required work from the contractor associated with the water meter repairs, whereby this included over excavation around meters, and added labor and materials; and

WHEREAS, the Rolph Drive Reconstruction Project is subject to a Municipal Participation Agreement with the County Government, and has other funding sources such as the U.S. Fish and Wildlife Service; and

WHEREAS, the Town Council finds that further delays should be avoided and that the change orders considered herein would be preferred to suffering further delays and the possible loss of significant grant funding and costs due to delay.

NOW THEREFORE BE IT RESOLVED that the Town Council hereby approves the Construction Change Orders (Numbers 2-6) attached hereto as Exhibit A (1-5) in the total amount of \$44,263.00 for the contractor and/or subcontractor proposals as follows:

Date/No.	Company/Provider	Description	Cost
Nov.28, 2017 – Chg. Order No. 2	State Wide Septic and Backhoe	To undercut sidewalk 1040LFT X 6.5 FT X1.5 FT and install Ten-star Geo Gride and #57 Recycled Stone and remove and dispose of unsuitable soil to dump site.	\$33,978.00
Nov.29, 2017 – Chg. Order No. 3	Scheibel Construction	300' additional silt fence for staging area as required by sediment control inspector.	\$1,440.00
Dec. 4, 2017 – Chg. Order No. 4	State Wide Septic and Backhoe	Field alterations to existing inlet to accommodate existing elevations and conditions.	\$2,404.00
Dec. 4, 2017 – Chg. Order No. 5	State Wide Septic and Backhoe	Associated water meter repairs and replacement of saturated soil due to leaks.	\$2,050.00
Dec. 4, 2017 – Chg. Order No. 6	State Wide Septic and Backhoe	Remove unsuitable soil on 11/9/17 and 11/10/17 and replace with stone as directed.	\$4,391.00
Total:			\$44,263.00

AND BE IT FURTHER RESOLVED that the Construction Change Orders (Numbers 2-6) for the construction contract entered with J.A. Scheible d/b/a Scheibel Construction shall be paid from line items 8034 – Rolph Drive Project and 9999 – Unassigned in the amount of \$44,263.00; thereby making the new agreement adjusted consideration amount of \$912,226.16.

AND BE IT FURTHER RESOLVED that the Town Council authorizes the Mayor to sign the subject Construction Change Orders and any other documents required to effectuate these changes.

PASSED this 20th day of December, 2017.

The Town of Forest Heights
Resolution 94-17

APPROVED: By Resolution of the Town Council of the Town of Forest Heights, Maryland.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

YEA

KENNEDY II

YEA

MCLAURIN

Absent

BARNES

YEA

HINES

Abstain

SMITH-BARNES

YEA

BROWNSON

Absent

ATTEST:

THE MAYOR AND COUNCIL OF THE TOWN
OF FOREST HEIGHTS, MARYLAND

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

SIGNATURE ON FILE

By:

Mayor Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By:

Jonathon Kennedy, II, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 7 day of December 2017 with 4 Aye votes and 0 Nay, constituting a majority of at least four (4) affirmative votes, the aforesaid Resolution 94-17 passed. (1) Abstain

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

Exhibit A (1-5) - (Change Orders, proposals and descriptions from Project Manager/Contactor)